

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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IN RE FLINT WATER CASES

NO. 5:17-CV-10164-JEL-MKM  
HON. JUDITH E. LEVY  
MAG. MONA K. MAJZOUB

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BELLWETHER PLAINTIFFS' COUNSEL'S RESPONSE  
REGARDING THE COURT'S ORDER FOR THE LAN DEFENDANTS  
TO PROVIDE SUPPLEMENTAL BRIEFING REGARDING THE LAN  
DEFENDANTS' MOTION TO SEAL PORTIONS OF THEIR  
DAUBERT AND SUMMARY JUDGMENT MOTIONS

The undersigned, as Counsel for the Bellwether Plaintiffs ("Plaintiffs' Counsel"), respectfully offer the Court the following information in response to the Court's May 12, 2021 Order directing Defendants Lockwood, Andrews & Newnam, Inc., and Lockwood Andrews & Newnam, PC ("the LAN Defendants") to submit supplemental briefing regarding the LAN Defendants' motion to seal portions of their *Daubert* and summary judgment motions. (ECF Doc. 350 in *Walters v. Flint*, Civ. No. 5:17-cv-10164.)

The LAN Defendants (along with the Veolia Defendants) approached Plaintiffs' Counsel to discuss the necessity and viability of filing their *Daubert* and summary judgment motions under seal. These discussions occurred before Plaintiffs' Counsel had the opportunity to review and evaluate the motions and

briefing that were subsequently filed. Collectively, the parties felt that, in light of the Court's previous orders regarding confidential information including the protected health information of Bellwether Plaintiffs, filing portions of the *Daubert* and summary judgment briefing under seal was therefore appropriate and the best course of action.

Plaintiffs' Counsel are currently in the process of evaluating and responding to the LAN Defendants' *Daubert* and summary judgment motions. If the Court determines that Plaintiffs' Counsel's request to the LAN Defendants was overbroad and that there is a way to protect the information's confidentiality that is fairer and better balances the interests of confidentiality and public access to judicial records, Plaintiffs' Counsel will abide by the Court's decision and work diligently with the LAN Defendants to implement the Court's order.

Dated: May 14, 2021

Respectfully submitted,

s/ Corey M. Stern  
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**CERTIFICATE OF SERVICE**

I, Renner K. Walker, hereby certify that on May 14, 2021, the foregoing document was served on all counsel of record via the court's ECF system.

/s/ Renner K. Walker  
Renner K. Walker